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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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04/26/02
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In re application of:

Christian KUNERT et al.

Group Art Unit: 1731

Serial No.: 09/943,739

Examiner: unassigned

Filed: September 4, 2001

For: DEVICE AND PROCESS FOR INTRODUCING GASES INTO A HOT MEDIUM

PETITION FOR RETROACTIVE FOREIGN FILING LICENSE
UNDER 35 U.S.C §134 AND 37 C.F.R. §5.25

RECEIVED
APR 19 2002
TC 1700

Commissioner of Patents
and Trademarks
Washington, DC 20021

Sir:

Schott Glas hereby respectfully requests a retroactive granting of a foreign filing license under 37 C.F.R. §5.13, for the material contained in German Application 100 43 872.5 filed on September 4, 2000. The subject matter of this application is currently the subject of U.S. Application No. 09/943,739, filed on September 4, 2001. A check in the amount the \$130.00 for the fee under 37 C.F.R. 1.17(h) is attached.

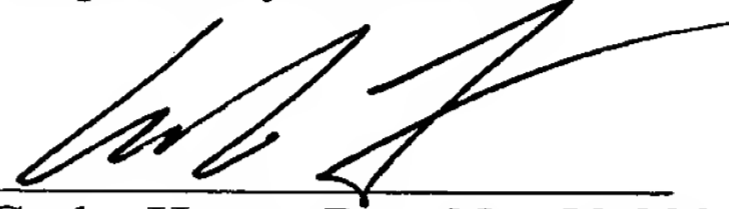
STATEMENT OF FACTS

The unlicensed patent application material, for which the present retroactive license is requested, was filed in the German Patent Office as German Application 100 43 872.5 on September 4, 2000.

A verified statement is attached, attesting as follows: (i) the subject matter of German Application 100 43 872.5 was not under a secrecy order at the time it was filed abroad and is not currently under a secrecy order; (ii) the present license has been diligently sought subsequent to discovery of the proscribed foreign filing; and (iii) the material of German Application 100 43 872.5 was filed abroad through error and without deceptive intent without the required license under § 5.11 first having been obtained. The facts in support of these statements are set forth in the verified statement.

It is respectfully requested that a foreign filing license be granted. Such license should be sent to Schott Glas's representative, at the address below. The undersigned is an authorized agent of Schott Glas.

Respectfully Submitted



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